

UNITED STATES DISTRICT COURT

for the

Southern District of Ohio

United States of America

v.

RASEAN J. PINER

Case No. 3:21MJ202

Defendant(s)

CRIMINAL COMPLAINT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of March 26, 2021 in the county of Montgomery in the
Southern District of Ohio, the defendant(s) violated:

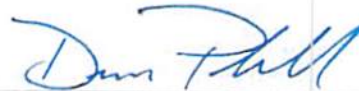
*Code Section**Offense Description*

21 U.S.C. §§ 841(a)(1) and (b)(1)
 (A)(viii); (b)(1)(B)(ii)(II); and (b)(1)
 (B)(vi).

Possession with intent to distribute:
 500 grams or more of a mixture or substance containing a detectable amount
 of methamphetamine; 500 grams or more of a mixture or substance
 containing a detectable amount of cocaine, and 40 grams or more of a
 mixture or substance containing a detectable amount of Fentanyl, also known
 as N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propenamide, all Schedule II
 controlled substances.

This criminal complaint is based on these facts:

See attached Affidavit of Dustin Phillips.

☒ Continued on the attached sheet.*Complainant's signature*

TFO Dustin J. Phillips, FBI

Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by
FaceTime *(specify reliable electronic means)*

Date: 5/24/21

City and state: _____



Hon. Sharon L. Ovington, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT

I, Dustin J. Phillips, a Task Force Officer ("TFO") for both the Federal Bureau of Investigation ("FBI") and City of Dayton Police Department ("DPD"), being duly sworn, depose as follows:

INTRODUCTION

1. I have been employed as a law enforcement officer for the past thirteen (13) years. I currently serve as a detective with the DPD. I am presently a TFO with the FBI Dayton Resident Office's Criminal Investigative Division (CID). As such, I have been sworn under Title 21, United States Code ("U.S.C."), Section 878, to serve as an officer of the United States duly empowered to conduct federal criminal investigations and execute arrests for criminal violations of Titles 18 and 21 of the U.S.C.
2. I am also a TFO with the DPD's Major Case/Drug Enforcement Unit within the Narcotics Bureau. Since 2013, in my roles with CID and DPD, I have almost exclusively concentrated on the investigation of: narcotics-, firearms-, and gang-related criminal cases. During my law enforcement career, I have been involved in a large number of firearm-related arrests, executions of search warrants resulting in the seizure of large quantities of narcotics and firearms, participated in undercover narcotics purchases, and supervised the activities of police informants who have provided law enforcement authorities valuable and accurate information and assistance that ultimately resulted in undercover narcotics purchases and apprehensions. During the course of my law enforcement career, I have received an extensive amount of formal and informal training in the investigation of drug trafficking and narcotics-related crimes.
3. This affidavit is submitted in support of a criminal complaint, which seeks the issuance of a federal arrest warrant against RASEAN JAMES PINER (hereinafter referred to "PINER") for:
 - a. Possession with intent to distribute 500 grams or more of a mixture or substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, in violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(A)(viii);
 - b. Possession with intent to distribute 500 grams or more of a mixture or substance containing a detectable amount of cocaine, a Schedule II controlled substance, in violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(B)(ii)(II); and
 - c. Possession with intent to distribute 40 grams or more of a mixture or substance containing a detectable amount of Fentanyl, also known as N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propenamide, a Schedule II controlled substance, in violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(B)(vi).

4. The facts contained in this affidavit are submitted for the express purpose of establishing probable cause to obtain an arrest warrant for PINER. This affidavit does not include every fact known to law enforcement authorities relevant to subject investigation.
5. The facts in this affidavit come from my review of records and evidence, my training and experience, and information I have received from other law enforcement officers. I have not distinguished between information of which I have direct and indirect knowledge.

FACTS

6. On or about March 26, 2021, at approximately 0916 hours, members of the DPD Narcotics Bureau executed a state search warrant at a residence located at 34 Patrick Street in Trotwood, Ohio. The supporting affidavit for this search warrant was authored by DPD Detective G. Tyler Omdorff. The search warrant was approved on March 24, 2021 by Montgomery County Ohio Common Pleas Court Judge Mary K. Huffman. The supporting affidavit for said search warrant specifically identified PINER as the primary suspect in the investigation.
7. Upon entry into the house, it was found to be unoccupied. Once the residence was secured by law enforcement authorities, detectives initiated the search of the premises. This search turned up several items of evidentiary value. Several bags/packages of suspected narcotics were discovered throughout the house. Multiple different types of narcotics were in several different size bags/packages. Each of the amounts of suspected narcotics were submitted to the Miami Valley Regional Crime Laboratory (MVRCL) for testing. The MVRCL has since completed the analysis of the submitted drugs and returned the laboratory report. The report determined that of the suspected drug submitted, several contained illegal narcotics. The following is a list of confirmed narcotics located inside the house: one (1) package of Methamphetamine (Schedule II) which weighed 448.4 grams, two (2) packages of Methamphetamine (Schedule II) which weighed a total of 948.3 grams, one (1) bag of Methamphetamine (Schedule II) which weighed 334.6 grams, one (1) bag of Cocaine (Schedule II) which weighed 842.5 grams, one bag of Fentanyl, also known as N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide, (Schedule II) which weighed 27.42 grams, and one (1) bag Fentanyl, also known as N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide, (Schedule II) which weighed 14.63 grams. Detectives also located a variety of items considered to be *drug paraphernalia* as this term is defined under 21 U.S.C. § 863(d), to wit: multiple digital scales, empty baggies, cleaning utensils, sifters, rubber gloves, a bullet mixer with suspected cocaine residue, and a metal bowl with suspected methamphetamine residue. All of these items were located in the kitchen and having been found together, indicate that they were being used together for illegal drug manufacturing.
8. In what appeared to be the primary bedroom of the residence, detectives located an unloaded black and silver Smith and Wesson .40 caliber pistol with serial number FXH8041. This gun was later checked and found to be entered into LEADS as a stolen firearm. This is the same bedroom where three (3) large packages of methamphetamine were recovered during the search.

9. During the search, law enforcement also located certain items of possessory interest, including, but not limited to: a U.S. Bank statement sent to PINER at 34 Patrick Street, a 2020 Form 1099-G tax paperwork sent to PINER at 34 Patrick Street, a Dayton Power and Light (DP&L) statement sent to PINER at 34 Patrick Street, several photographs of PINER throughout the house, and multiple articles of men's clothing and shoes which all appeared to be sized appropriately to fit PINER.
10. Additional investigation into PINER revealed that according to the Montgomery County, Ohio Auditor's website, PINER owns the property located at 34 Patrick Street. Upon checking The Ohio Law Enforcement Gateway (OHLEG), it was found that PINER listed his address as 34 Patrick Street on January 13, 2020 when he was issued a State of Ohio identification card.
11. Based upon your Affiant's prior law enforcement training and experience investigating narcotics crimes it would be his opinion that PINER was in fact engaging in drug trafficking activities at the time of this search warrant. This opinion is based upon considering the following factors: (a) the presence of several large quantities of various different narcotics in PINER's house; (b) the fact that such an amount of methamphetamine, cocaine, and/or fentanyl would clearly equate to what is generally viewed as a "distribution amount" of drugs; (c) the presence of digital scales as well as the aforesaid additional items of drug paraphernalia and drug manufacturing equipment; (d) the presence of a firearm (stolen); and (e) the discovered presence of \$8,294 in U.S. currency found throughout the house.
12. I have conducted a criminal records check of PINER. It has been determined that PINER had previously been convicted of multiple prior felonies, which were punishable by a term of imprisonment exceeding one year, namely:
 - a. On or about October 20, 2009, in the Montgomery County, Ohio Court of Common Pleas, case number 2009 CR 01994, of "Possession of Cocaine (Crack)"; and
 - b. On or about May 9, 2017, in the Montgomery County, Ohio Court of Common Pleas, case number 2017 CR 03719, of "Possession of Cocaine".

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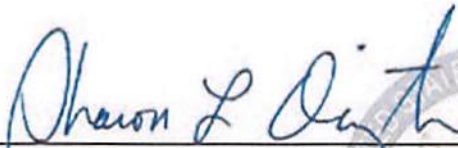
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13. Based on the above information, I believe that probable cause exists to conclude that on or about March 26, 2021, while in the Southern District of Ohio, **PINER** knowingly and intentionally possessed with intent to distribute 500 grams or more of a mixture or substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, in violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(A)(viii); possessed with intent to distribute 500 grams or more of a mixture or substance containing a detectable amount of cocaine, a Schedule II controlled substance, in violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(B)(ii)(II); and possessed with intent to distribute 40 grams or more of a mixture or substance containing a detectable amount of Fentanyl, also known as N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propenamide, a Schedule II controlled substance, in violation of 21 U.S.C. §§ 841(a)(1).



Dustin J. Phillips, Task Force Officer
FBI-SSTF Task Force
DPD-CIRGV Task Force

Subscribed and sworn to before me this 24th day of May 2021.



Sharon L. Ovington
United States Magistrate Judge

